

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHARLES POWERS, on his own	:	CIVIL ACTION
behalf and on behalf of the	:	
class defined herein	:	NO. 06-2993
	:	
v.	:	
	:	
LYCOMING ENGINES, a Division of	:	
AVCO CORPORATION; AVCO	:	
CORPORATION; and TEXTRON, INC.	:	

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PLANE TIME, LLC, on its own behalf and	:	CIVIL ACTION
on behalf of others similarly situated	:	
	:	NO. 06-4228
	:	
v.	:	
	:	
LYCOMING ENGINES, a Division of	:	
AVCO CORPORATION; AVCO	:	
CORPORATION; and TEXTRON, INC.	:	

**ORDER**

**AND NOW**, this 9th day of February, 2011, upon consideration of the Third Circuit Court of Appeals' opinion and judgment vacating and the class certification order and remanding this action, Plaintiffs' Memorandum in Support of Re-Certification of the Implied Warranty of Merchantability Claim (Document No. 146) and the defendant's Memorandum of Law in opposition to class certification (Document No. 147), **IT IS ORDERED** that the plaintiffs' motion for class certification is **DENIED**.

/s/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.